



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

March 1, 2021

Via Emailed PDF

Martin P. Sullivan
Sullivan & Barros, LLP
1155 15th Street, NW, Suite 1003
Washington, DC 20005

Re: 1021-1027 Euclid Street R, NW (Square 2863, Lot 840)

Dear Mr. Sullivan:

This letter confirms the discussion you had with zoning technician Daniel Calhoun on July 15, 2020, regarding the property located at 1021-1027 Euclid Street R, NW (the **“Property”**). The Property is in the RF-1 zone and is currently vacant.

You have asked about the possibility of developing four (4) currently existing record lots in Square 840. The record lots are 59-62 (the **“Record Lots”**). The Record Lots together correspond exactly with Tax Lot 804. Specifically, you have asked that I address the buildability of existing record alley lots which happen to correspond exactly, or “one-to-one” with existing tax lots; and to confirm that the existence of a tax lot does not affect the existence of a record lot. It is my understanding that if the boundaries of the Property’s tax lot match exactly the boundaries of the Property’s corresponding record lot(s), the Surveyor will issue a building plat for the tax lot and include a notation that there is a corresponding record lot in the same boundaries as the tax lot.

With this notation, I will accept such a plat as if it were a record lot plat for the purposes of satisfying the requirements under the Zoning Regulations that all new constructions and additions take place only on a record lot (in compliance with A-301.3). It is my determination that this complies with both the spirit and the letter of the Zoning Regulations because, while the Regulations require that new construction and additions all take place on a “lot of record,” the requirement for the production of the actual building plat does not provide whether or not that plat must be a tax plat or record plat. (A-301.2(b)).¹

¹ Pursuant to long-standing precedential authority from the Board of Zoning Adjustment (Exhibit B), and the D.C. Office of Corporation Counsel (predecessor to OAG)(Exhibit C), the existence of a tax lot has not effect whatsoever on the record lot.

Therefore, I am confirming that if the existing Tax Lot 840 is subdivided such that it results in four tax lots which would each match the boundaries of the existing record lots, they will be buildable record lots to the extent that the Zoning Regulations will allow certain buildings and uses on those existing record lots. While construction of single-family dwellings may be limited by the ingress and egress alley widths, this letter confirms that you do not need to obtain a further record lot subdivision for these four (4) lots.

Furthermore, if the D.C. Surveyor refuses, or fails, to issue the plat with said notation, I will still accept the tax plat as a buildable plat, provided your request is accompanied by evidence that the corresponding record lots exist, such as by reference to the DC GIS maps produced on the DC GIS Atlas Plus website. In this case, you have provided such evidence of the existence of these record lots, attached as Exhibit A, and I will therefore accept tax plats for new construction, provided those tax plats match up with the boundaries of these currently existing record lots, which I understand you will accomplish by undertaking an A&T Lot subdivision with the D.C. Office of Tax and Revenue.

According to available records from the Surveyor's Office, the alley system out to the public street does not maintain a minimum width of fifteen feet (15 ft.). The width in both possible routes out to the public street is less than fifteen feet (15 ft.) at several points. For this reason, pursuant to Subtitle X, Chapter 9, the construction and use of single-family dwellings on the Record Lots will require BZA special exception relief pursuant to U-601.1(f)(4)(B).

Height

The maximum height and stories of buildings on alley lots in RF zones shall be twenty feet (20 ft.) and two (2) stories, including the penthouse.

Lot Occupancy

A building or structure shall not occupy an alley lot in excess of the maximum lot occupancy as set forth in the following table:

Alley Lot Size	Maximum Lot Occupancy
Less than 1,800 sq. ft.	N/A
Between 1,800 sq. ft. and 2,000 sq. ft.	90%
Larger than 2,000 sq. ft.	80%

Rear Yard

A required rear yard shall be provided with a minimum depth of five (5) feet from any lot line of all abutting non-alley lots.

Side Yard

A required side yard shall be provided with a minimum depth of five (5) feet from any lot line of all abutting non-alley lots.

Alley Centerline Setback

A required twelve-foot (12 ft.) setback from the centerline of all alleys to which the alley lot abuts shall be provided.

Pervious Surface

The minimum required pervious surface shall be ten percent (10%).

Please feel free to contact me if you have any questions.

Sincerely, Matthew Le Grant
Matthew Le Grant
Zoning Administrator

Attachments: Atlas Map – Tax and Record Lots
Atlas Map – Record Lots

Zoning Technician: Dan Calhoun

DISCLAIMER: This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a "final writing", as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.